

REMARKS

INTRODUCTION

In accordance with the foregoing, no claims have been amended. Claims 1-18 are pending and under consideration.

CLAIM REJECTIONS – 35 USC 103(a)

Claims 1, 2, 4-10 and 12-18 were rejected under 35 USC 103(a) as being unpatentable over Shimura et al. (US 6,295,569) (hereinafter “Shimura”) in view of common knowledge in the data processing art.

Shimura discloses a storage apparatus. Figures 20A and 20B of Shimura show circuit block diagrams of a controller and an enclosure that are provided for the drive main body 12 shown in Figure 1. The optical disk drive of Shimura includes a controller 210 and an enclosure 212. The controller 210 has: an MPU 214 for performing a whole control of the optical disk drive; an ATA interface controller 216 for transmitting and receiving commands and data to/from an upper apparatus; a formatter 218 for performing processes which are necessary to write and read data to/from the medium; and a buffer memory 220. Shimura 13:38-13:48.

Claims 1 and 2

Claim 1 recites: “...a control board to control the driving unit, which is installed at an interface device of the computer, separate from the driving unit, and connected to the connection board.” In contrast to claim 1, Shimura fails to teach that the control board is separate from the driving unit. This deficiency is not cured by reliance on common knowledge in the data processing art. In *re Japikse*, 86 USPQ 70 (CCPA 1950), was cited to state that shifting location of parts has no patentable significance. However, In *re Chu*, 36 USPQ2d 1089 (Fed. Cir. 1995), states reasoning must be submitted why a specific feature is a matter of design and therefore obvious. In claim 1, the control board to control the driving unit being installed separate from the driving unit is more than a design choice or shifting of parts. Note the connection board recited in claim 1 that is not found in the prior art. It is respectfully submitted that claim 1 patentably distinguishes over the prior art and common knowledge of the data processing art.

Claim 2 is dependent on claim 1 and is therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejection is requested.

Claims 4-10 and 12-18

Independent claims 4 and 12 recite: "...a controller to control the driving unit having an interface to connect to the computer, wherein the controller is located remotely from the driving unit." In contrast to claims 4 and 12, similar to the arguments made regarding claim 1, Shimura fails to teach that the controller is located remotely from the driving unit. This deficiency is not cured by reliance on common knowledge in the data processing art.

Claims 5-10 and 13-18 are dependent on claims 4 and 12, respectively, and are therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejection is requested.

CLAIM REJECTIONS – 35 USC 103(a)

Claims 3 and 11 were rejected under 35 USC 103(a) as being unpatentable over Shimura in view of Liu et al. (US 6,502,755) (hereinafter "Liu").

Liu discusses an optical data storage card including an optical data storage layer supported on the card and a plurality of data storage tracks for storing data therein. Liu, Abstract.

Claims 3 and 11 are dependent on claims 1 and 4, respectively and are therefore believed to be allowable for the foregoing reasons. Further, claims 3 and 11 patentably distinguish over Shimura and Liu, taken alone or in combination. For example, claim 3 recites that the interface device is a USB port.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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